

# CITY OF MILTON-FREEWATER

## PLANNING COMMISSION MINUTES

November 1, 2004

The Planning Commission meeting was called to order on Monday, November 1, 2004, by Chair Tony Turner in the Albee Room at the City Library. Other members present were Commissioners Dwayne Gaines, Charlie Good, Steve Irving, Kevin Riley, and Ed Chesnut. Commissioner Barcroft was absent.

Citizens present: Bernard Lytle, Eleanor Lytle, and Mitchell Nye.

The minutes of the October 4, 2004 meeting were approved with corrections to page 2 under Commissioner Concerns, replacing the phrase "cars being parked" with "trailer repairs, parking, and work being done."

Citizen Concerns: No citizen concerns.

The public hearing was then opened on the variance application received from Bernard Lytle to allow an addition to an existing carport approximately 10 feet from the rear property line. Gina then gave the staff report. The subject parcel is approximately 100' x 107' and is situated on a corner lot. It is zoned R-3 and is surrounded by R-3 and R-2 zoned property.

The rear yard setback for the subject property is 16 feet. The subject property contains a duplex, with applicant living in the interior unit. All surrounding properties in the immediate area are developed with single family dwellings. The applicant desires to build a wall along the east side of an existing carport to allow for a small storage area. There are existing structures on the property which make it difficult to construct additions and still meet setbacks. The variance is necessary for the preservation of a property right of the applicant substantially the same as is possessed by owners of other property in the same zone or vicinity. The granting of the variance would allow the applicants to build a small storage area to their carport for their personal use, which is a property right typically enjoyed by residents of residentially zoned property. It would not constitute a grant of special privilege inconsistent with the limitations on other properties in the same zoning district. The applicant is requesting the smallest amount of variance to enable construction of the storage area that will suit their needs and be in line with the existing roof structure of the carport. Because of the existing overhang of the roof which is already approximately 10 feet from the rear property line, there will not be a dramatic change in appearance to the existing carport. Staff feels that the small area requested for the variance would not have sufficient impact to violate the spirit of the ordinance.

Chair Turner invited the applicant to speak. Mrs. Lytle spoke and said they are badly in need of storage for their lawn equipment, picnic table and chairs, and spare tires for their vehicles. Mr. Nye, the contractor for the Lytle's said that they would also like to use it for the RV. The existing carport is not big enough to allow for their RV pop out and they need that for company when they come to stay with them. The primary use would be for the storage of items that are currently left out in the weather.

There being no further testimony either for or against the variance, Chair Turner then asked for Commissioners questions.

Commissioner Chesnut wanted clarification on the existing carport, where the poles would be moved, and how it would look in comparison with the roof line once the wall is built. He was concerned that it would only be used for the RV parking not storage as the applicant had initially intended. The applicant said that their relatives RV have utilized the carport in the past but just wasn't able to open the pop out since the poles are in the way. By moving out the posts in line with the roof and building a wall, it would allow for storage and the parking of the RV with the pop out. This variance would allow for storage of all the items they currently have sitting out in the weather.

There being no further questions Chair Turner closed the hearing.

Commissioner Gaines made a motion to approve the variance application and accept the findings of staff. Commissioner Good seconded the motion. Commissioner Chesnut then asked for room for discussion. Clarification on not extending out the existing roof line was addressed as well as clarification on the initial application request for the variance for a storage area. Mr. Nye said that it would only be used for RV parking when they have company. It will still be utilized for storage even if the RV is present. Chair Turner then called for a vote. The motion passed with Commissioners Chesnut, Gaines, Irving, Turner and Good voting in favor and Commissioner Riley voted against.

Administrative Actions – Reviewed and discussed.

Commissioner Comments – Commissioner Irving said goodbye to the Planning Commission and thanked everyone. He is looking forward to being on the City Council. Gina thanked him for his service and congratulated him on his appointment to the City Council.

Commissioner Chesnut said he would be interested in joining the Technical Advisory Committee on the TSP/TGM Grant if Commissioner Barcroft isn't able.

Planning Department Update – Several different parties have expressed interest in developing properties in Milton-Freewater over on NW 8<sup>th</sup>, Powell Road, and Walnut. No definitive plans as of yet.

There is a grant for a study of the UGB south of the City, but Gina wasn't sure on the specifics at this time.

There being no further business, the meeting was adjourned at 7:40 p.m.